



W.P.No.4210 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.4210 of 2025

Pattammal

.. Petitioner

vs

1. The Inspector General Registration
Registration Department
No.100, Santhome High Road
Chennai – 600 028.

2. The District Registrar
District Registration Office, Chengalpattu District.

3. The Sub-Registrar
Sub Registration Office, Cheyyar
Chengalpattu District.

4. S.Elangovan

5. S.Arul

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of mandamus, directing the respondents 1 to 3 not to register and release Doc.No.P/Cheyyur/7/2025 pending on the file of the third respondent and also not to receive and register any encumbrance for the lands comprised in Dry Survey No.28/1B to an extent of 9.98 acres situated at Chengalpattu District pending disposal of civil suit between the petitioner and the respondents 4 and 5.

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For Petitioner : Mr.R.Murali
for Mr.R.Ragavendran

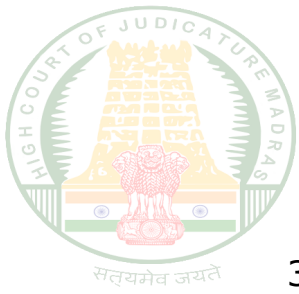
For Respondents : Mr.K.Karthick Jagannath
Government Advocate
for R1 to R3

ORDER

This writ petition has been filed for the issue of writ of mandamus, forbearing the respondents 1 to 3 not to register and release the pending documents and not to receive and register any further documents pertaining to the subject property till the Civil Suit between the petitioner the respondents 4 and 5 is disposed.

2. Heard *Mr.R.Murali*, learned counsel appearing on behalf of *Mr.R.Ragavendran*, learned counsel for the petitioner and *Mr.K.Karthick Jagannath*, learned Government Advocate for respondents 1 to 3.

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3. In the considered view of this Court, a writ petition cannot be filed for the purpose of getting an interim order when a substantial dispute between the parties is pending before the competent Court. The law on this issue is too well settled. Hence, if at all any encumbrance is made, interim orders should be obtained only before the competent Court and writ jurisdiction cannot be invoked.

4. It is also seen from the records that the learned District Munsif cum Judicial Magistrate has already passed an order returning the plaint in exercise of jurisdiction under Order VII Rule 10 of the Code of Civil Procedure, 1908. Therefore, unless and otherwise the petitioner moves the competent Court and seeks an interim order, there is no question of stopping the Registrar from registering the documents, by invoking the jurisdiction under Article 226 of the Constitution of India. In any case, if any alienation is made, it will be subject to *lis pendens*.

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5. Except giving this clarification, no further orders could be passed in this writ petition. This writ petition, accordingly, stands disposed of in the above terms. There shall be no order as to costs. Consequently, W.M.P.No.4698 of 2025 is closed.

10.02.2025

Speaking Order/Non-Speaking Order.

Internet : Yes/No.

Index: Yes/No.

Neutral Citation: Yes/No

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To

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N.ANAND VENKATESH, J.

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